

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
UTILITY PATENT APPLICATION TRANSMITTAL**

FIRST NAMED INVENTOR OR APPLICATION IDENTIFIER: **Y ng K. Ch t al.**TITLE: **METHOD AND APPARATUS TO DETECT AND TREAT SLEEP RESPIRATORY EVENTS**

CERTIFICATE UNDER 37 CFR §1.10: I hereby certify that this Utility Patent Application Transmittal and the documents referred to as enclosed therein are being deposited with the United States Postal Service, in an envelope addressed to: Box Patent Application, Commissioner of Patents, Washington, D.C. 20231, "EXPRESS No. EV 323 972 020 US, on this 15th day of September, 2002.



Molly Chlebeck

Printed Name

Signature

Commissioner for Patents
BOX PATENT APPLICATION
Washington, D.C. 20231

Sir:

We are transmitting herewith the attached:

☒ **Patent Application Transmittal**☒ **Specification:****Total pages:** 22 (including claims and abstract: Spec. 19 sheets; Claims 2 sheets; Abstract 1☒ **Drawings:**Total sheets: 6☐ formal ☒ informal☒ **Combined Declaration and Power of Attorney:**☐

unexecuted

☒

copy from prior application

☐

Deletion of Inventor(s) - Signed statement attached deleting inventor(s) named in the prior application (37 CFR 1.63(d)(2) and 1.33(b))

☒Incorporation by Reference - *The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied above is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.*☒ **Accompanying application parts:**☐

Notification of filing a

☐

Assignment of the Invention to Medtronic, Inc.

☐

Assignment cover sheet

☐

Information Disclosure Statement

☐

PTO Form 1449

☐

Copies of IDS citations

☐

Preliminary Amendment

☐

A copy of the Petition or Conditional Petition for Extension of Time in the prior application.

☒

Return Postcard

IF A CONTINUING APPLICATION:☒

Continuation

☐

Divisional

☐

Continuation-in-part (CIP) of prior application

Serial No. 10/133,009, filed April 26, 2002.

☒

Amend the specification by inserting before the first line the sentence: This application is a continuation of application number 10/133,009, filed April 26, 2002 and claims the benefit of priority to U.S. Provisional Application No. 60/287,650, filed April 30, 2001.

☐

Cancel in this application original claims _____ of the prior application before calculating the filing fee. (At least the original independent claim must be retained for filing purposes.)

☒

The prior application is assigned of record to Medtronic, Inc.

☒

The Power of Attorney in the prior application is to: Michael C. Soldner.

☒ This application claims the benefit of U.S. Provisional Application(s) Serial No.(s) 60/287,650, filed April 30, 2001.

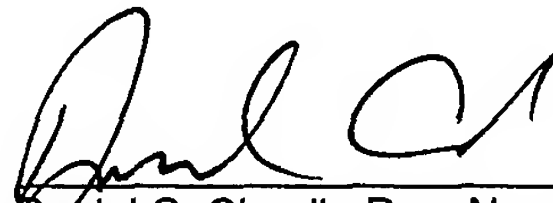
X Address all future correspondence to: Daniel G. Chapik, Reg. No. 43,424
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FEE CALCULATION	No. of Claims Filed	Claims Included in Base Fee	No. of Extra Claims	Rate	Fee
Total Claims	12	20	= 0	x 18	\$0.00
Independent Claims	2	3	= 0	x 84	\$0.00
Multiple Dependent Claims			0	+ 280	
Basic Filing Fee					\$750.00
TOTAL					\$750.00

X Charge Deposit Account No. 13-2546 in the amount of **\$750.00** for the filing fee and extra claims fee.

X The Commissioner is hereby authorized to charge any fees which may be required under 37 CFR 1.16 and 1.17, or credit any overpayment to Deposit Account No. 13-2546. A duplicate of this transmittal is enclosed.

9/15/02
Date


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